

Mr. Bill Vinzant
Project Manager
Kaiser Aluminum & Chemical Corporation
9141 Interline Avenue, Suite 1A
Baton Rouge, LA 70809

SUBJECT: COMPLETION OF DECOMMISSIONING ACTIVITIES AT KAISER ALUMINUM
AND CHEMICAL CORPORATION (KAISER) SITE IN TULSA, OKLAHOMA

Dear Mr. Vinzant:

On September 14, 2006, Kaiser notified the U.S. Nuclear Regulatory Commission (NRC) that it had completed decommissioning and final status surveys (FSSs) for Kaiser's Tulsa, Oklahoma Site, in accordance with its approved decommissioning plan (DP). The NRC staff has completed the review of the FSS Reports (FSSRs) and concludes, in accordance with 10 CFR 40.42(k), that: (1) source material has been properly disposed; (2) reasonable effort has been made to eliminate residual radioactive contamination; (3) submitted FSSRs and associated documentation, demonstrate that the facility and site are suitable for release in accordance with the criteria for decommissioning in 10 CFR Part 20, Subpart E; and (4) records required by 10 CFR 40.61(d) and (f) have been received. Therefore, the staff concludes that Kaiser has completed all decommissioning activities described in the approved DP for the site, and the site meets the NRC's criteria for unrestricted use based on an all-pathways analysis of potential doses to the public from residual radioactivity at the site.

Accordingly, the NRC finds that Kaiser has discharged all of its obligations to the NRC with respect to the decommissioning of its Tulsa, Oklahoma site. In accordance with 10 CFR 20.1401(c), NRC will not require Kaiser to perform additional decommissioning activities at the site unless new information demonstrates that the criteria were not met and residual radioactivity at the site could result in a significant threat to public health and safety.

On October 9, 2002, the NRC and the U.S. Environmental Protection Agency (EPA) entered into a Memorandum of Understanding (MOU) titled, "Consultation and Finality on Decommissioning and Decontamination of Contaminated Sites." The MOU provides that, unless an NRC-licensed site exceeds any of three trigger criteria contained in the MOU, EPA agrees to defer to NRC the decision-making on decommissioning without the need for consultation. For sites with residual radioactivity that trigger the criteria in the MOU, NRC will consult with EPA at two points in the decommissioning process: (Level 1) before NRC's approval of the license termination plan (LTP) or decommissioning plan (DP); and (Level 2) after completion of the FSS.

On October 27, 2004, NRC informed EPA that the Kaiser site has an approved DP that includes radionuclide concentrations for soil that exceed the values in the MOU for Thorium-232 (Th-232) and Radium-226. NRC committed to additional consultation with EPA to resolve any remaining issues, if, following remediation activities, remaining levels of residual radioactivity exceeded MOU values. Staff has reviewed the Kaiser FSSR, and has verified that some soil remaining on-site, at 10 feet or more below the surface of the site, has thorium concentrations up to 31

picocuries per gram (pCi/g), exceeding the MOU soil value of 5 pCi/g. However, concentrations of Ra-226 do not exceed the MOU values and radionuclide concentrations in groundwater at the site do not exceed the MOU criteria. NRC has informed EPA of the as-left condition of the Kaiser site and has requested that EPA identify any unresolved issues regarding the site. If EPA identifies any unresolved issues associated with the Kaiser site, NRC will contact you. However, as stated above, Kaiser has discharged all of its obligations to the NRC with respect to the decommissioning of its Tulsa, Oklahoma site and NRC will not require Kaiser to perform additional decommissioning activities at the site, unless new information demonstrates that the criteria were not met and residual radioactivity at the site could result in a significant threat to public health and safety.

The staff's review of the FSSRs is documented in Enclosure 1: Safety Evaluation Report. Enclosure 2 is the Notice of Completion of Decommissioning which is being sent to the Office of the Federal Register for publication.

In accordance with NRC's regulations at 10 CFR 2.390, "Rules of General Applicability," a copy of this letter will be available electronically in the NRC Public Document Room or from the Publicly Available Records (PARS) component of the NRC's document system (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

If you have any questions please contact John Buckley at (301) 415-6607.

Sincerely,

Keith I. McConnell, Deputy Director
Decommissioning & Uranium Recovery
Licensing Directorate
Division of Waste Management
and Environmental Protection
Office of Federal and State Materials
and Environmental Management Programs

Enclosures:

1. Safety Evaluation Report
2. *Federal Register* Notice

Docket No.: 040-2377
License No.: STB-472

cc: Kaiser Aluminum Service list